

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.2977 of 2019

ORDER:

The petitioner assails the Memo dated 16.8.2018 issued by the Tahsildar, Aswaraopet Mandal, Bhadradri-Kothagudem District, whereby his request for mutation in relation to certain extents of land in various survey numbers of Aswaraopet Village was rejected. It is however to be noted that this exercise was undertaken by the Tahsildar, Aswaraopet Mandal, pursuant to the order dated 19.02.2018 passed by the erstwhile common High Court for the States of Telangana and Andhra Pradesh in Writ Petition No.4150 of 2018.

Perusal of the said order reflects that the Tahsildar, Aswaraopet Mandal, was directed thereby to consider the application of the petitioner and to pass appropriate orders thereon in accordance with law after hearing the objectors and the petitioner within a period of eight weeks from the date of receipt of a copy of the said order.

The complaint of the petitioner presently is that he was not given an opportunity of hearing prior to issuance of the impugned Memo dated 16.8.2018 in terms of the aforestated order.

Having received instructions, learned Government Pleader for Revenue, State of Telangana, would fairly state that the Tahsildar, Aswaraopet Mandal, Bhadradri-Kothagudem District, failed to abide by the mandate of the order passed in Writ Petition No.4150 of 2018 in terms of giving an opportunity of hearing to both parties.

On this short ground, the Writ Petition is allowed setting aside the impugned Memo dated 16.8.2018. The matter is remitted to the Tahsildar, Aswaraopet Mandal, Bhadradri-Kothagudem District, for consideration of the petitioner's application dated 22.11.2017 afresh in terms of the directions of the erstwhile common High Court in Writ Petition No.4150 of 2018. This exercise shall be completed expeditiously and in any event, not later than six weeks from the date of receipt of a copy of this order, be it from whatever source.

Pending Miscellaneous Petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

26th February, 2019

Note:

Issue CC in one week.

B/o

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